

SOLID WASTE DISPOSAL ACT8-10-A. Civil Judicial Enforcement Actions, Including Collection Actions1. **AUTHORITY.**

- a. To request the Attorney General to appear and represent the agency in any civil enforcement action and to intervene in any civil enforcement action instituted under the Solid Waste Disposal Act, as amended, including an action to collect unpaid penalties.
- b. To give notice of any such suit to the appropriate state.
- c. To request the AG to decline to prosecute a previously referred civil judicial action or cease prosecution of a previously filed civil enforcement action.

2. **TO WHOM REDELEGATED.** Director, Enforcement and Compliance Assurance Division.3. **LIMITATIONS.**

- a. Any official exercising the authorities in 1.a.–1.c. must obtain the advance concurrence of the regional counsel or designee, on the legal sufficiency of the action. The RC may waive concurrence in writing.
- b. Any official exercising this authority must notify the assistant administrator or designee for the Office of Enforcement and Compliance Assurance prior to exercising the authority in 1.c. and when exercising the authority in 1.a. The AA for OECA may waive the requirement for notification in writing.

4. **REDELEGATION AUTHORITY.**

- a. These authorities may be redelegated to the branch chief level, or equivalent, and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.**

- a. Memorandum of Understanding between the agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
- b. SWDA Sections 3008, 3013, 7003, 9006.
- c.

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See the Chapter 8 delegation entitled "Emergency Temporary Restraining Orders" for RAs to make direct referrals of requests for emergency SWDA temporary restraining orders.



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Debra H. Thomas  
Acting Regional Administrator



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Date